

ORDINANCE NO. 3550

BILL NO. 34 (2008)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE
DISTRICT CLASSIFICATION FROM AGRICULTURAL TO URBAN
FOR PROPERTY SITUATED AT KAE0, HONU0ULA, MAKENA, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapter 205-3.1, Hawaii Revised Statutes, and Chapter 19.68, Maui County Code, the State Land Use District classification is reclassified from the Agricultural District to the Urban District for that certain parcel of land located at Kaeo, Honuaula, Makena, Maui, Hawaii, and identified for real property tax purposes by Tax Map Key No. 2-1-007:066, comprising approximately 1.552 acres, and more particularly described in Exhibit "A", attached hereto and made a part hereof, and in District Boundary Amendment Map No. DB-511, which is on file in the Office of the County Clerk of the County of Maui, and by reference made a part hereof.

SECTION 2. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

S:\CLERICAL\LJN\ORD\0ba\Pacific Rim Land State Land Use.wpd

EXHIBIT "A"

That certain parcel of land (being portion of the land described in and covered by Royal Patent Grant Number 835 to Mahoe) situate, lying and being at Kaeo, District of Honuaula, Island and County of Maui, State of Hawaii, being LOT 5, and thus bounded and described:

Beginning at a pipe at the northwesterly corner of this tract, the coordinates of said point of beginning being 4,331.37 feet north and 2,262.46 feet east and referred to Government Survey Triangulation Station "PUU OLAI" and running by azimuths measured clockwise from true South:

- | | | | |
|----|----------|--------|---|
| 1. | 258° 08' | 261.72 | feet along the joint boundary with Lot 4 of this subdivision to an iron pipe; |
| 2. | 2° 23' | 331.08 | feet along same to an iron pipe; |
| 3. | 94° 44' | 200.00 | feet along a portion of a Government Remnant owned by the Territory of Hawaii and along T. H. Purchase Right No. 725 to an iron pipe; |
| 4. | 170° 37' | 264.00 | feet along or near the easterly boundary of the Makena-Keoneoio Road to the point of beginning and containing an area of 1.552 acres, more or less. |

SUBJECT, HOWEVER, to the following:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. Encroachments or any other matters as shown on survey map prepared by Sherman Dudley DePonte, Licensed Land Surveyor, with Akamai Land Surveying, Inc., dated May 16, 2001.
3. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

Tax Key: (2) 2-1-007-066

END OF EXHIBIT "A"

WE HEREBY CERTIFY that the foregoing BILL NO. 34 (2008)


1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 4th day of April, 2008, by the following vote:

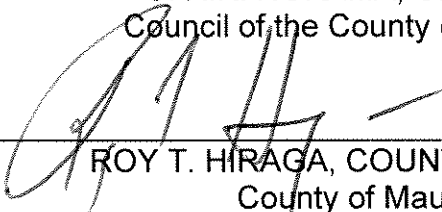
G. Riki HOKAMA Chair	Dennis A. MATEO Vice-Chair	Michelle ANDERSON	Gladys C. BAISA	Jo Anne JOHNSON	William J. MEDEIROS	Michael J. MOLINA	Joseph PONTANILLA	Michael P. VICTORINO
Aye	Aye	Excused	Aye	No	Aye	Aye	Aye	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 4th day of April, 2008.

DATED AT WAILUKU, MAUI, HAWAII, this 4th day of April, 2008.

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2008 APR -4 PM 3:22
OFFICE OF THE MAYOR



G. RIKI HOKAMA, CHAIR
Council of the County of Maui


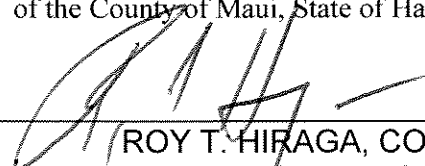
ROY T. HIRAGA, COUNTY CLERK
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 6th DAY OF APRIL, 2008.



CHARMAINE TAVARES, MAYOR
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 3550 of the County of Maui, State of Hawaii.



ROY T. HIRAGA, COUNTY CLERK
County of Maui

Passed First Reading on March 7, 2008.
Effective date of Ordinance April 6, 2008.

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2008 APR -7 PM 2:14
OFFICE OF THE
COUNTY CLERK

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 3550, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on _____